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STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICTS

Austria, Canada, Chile, Denmark, Finland, Iceland, New Zealand, Norway, Romania, Russian Federation, Spain and Sweden: draft resolution

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988, 45/38 of 28 November 1990, 47/30 of 25 November 1992 and 49/48 of 9 December 1994,

Having considered the report of the Secretary-General[1] on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Recalling the possibility of making use, in relation to an armed conflict, of the International Fact-Finding Commission pursuant to article 90 of Additional Protocol I,

[1] A/51/215 and Corr.1 and Add.1.

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and disseminate knowledge of the two additional Protocols,

Noting that the Twenty-sixth International Conference of the Red Cross and Red Crescent was held at Geneva from 4 to 7 December 1995,

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. Appeals to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties to the additional Protocols at the earliest possible date;

3. Calls upon all States that are already parties to Protocol I, or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol;

4. Notes with satisfaction that the Twenty-sixth International Conference of the Red Cross and Red Crescent endorsed the Final Declaration of the International Conference for the Protection of War Victims, adopted on 1 September 1993, which reaffirms the necessity of preventive measures and of making the implementation of international humanitarian law more effective;

5. Further notes that the Twenty-sixth International Conference also endorsed the recommendations elaborated by the Intergovernmental Group of Experts which aim at translating the Final Declaration of the International Conference into concrete measures, including the recommendation that the Depositary of the Geneva Conventions of 1949 organize periodic meetings of States parties to these Conventions to consider general problems regarding the application of international humanitarian law;

6. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the status of the additional Protocols based on information received from Member States;

7. Decides to include in the provisional agenda of its fifty-third session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".